

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MARIA GUTIERREZ,

Plaintiff,

v.

CITY OF ARLINGTON, MICHAEL  
KNIGHT, JOSHUA FOX, and JOHN  
DOES 1-10,

Defendants.

CASE NO. C22-456 MJP

ORDER OF DISMISSAL AND  
ORDER TO SHOW CAUSE

This matter comes before the Court on the Parties' Notice of Settlement. (Dkt. No. 20.) Plaintiff has settled her claims against Defendants City of Arlington, Michael Knight, and Joshua Fox. These Parties concede that they failed to timely notify the Court that they had settled the claims the day after Plaintiff filed a Motion for Partial Summary Judgment. As a result, the Court needlessly expended its resources in ruling on Plaintiff's Motion that the Parties mooted without informing the Court. As the Court's Scheduling Order warned, the failure to promptly notify the Court of a settlement may be grounds for sanctions against counsel. (See Dkt. No. 10.) The Court

1 has seriously considered imposing sanctions. But instead, it warns all counsel and the firms they  
2 represent that any future failure to promptly notify the Court of a settlement will result in  
3 monetary sanctions if the Court unnecessarily expends any time on that matter. The Court will  
4 determine the monetary sanction based on the time spent at an appropriate hourly rate.

5 Based on the Parties' Notice of Settlement, the Court DISMISSES Plaintiff's claims  
6 against Defendants Arlington, Fox, and Knight WITH PREJUDICE. If settlement is not  
7 perfected within 60 days of this Order, either party may move to reopen the case.

8 Additionally, the Court ORDERS Plaintiff to SHOW CAUSE whether her claims against  
9 the Doe Defendants remain in this action—something not specified in the Notice of Settlement.  
10 Plaintiff must file a response with 3 days of entry of this Order. If Plaintiff fails to respond, the  
11 Court will dismiss the claims against the Doe Defendants for failure to prosecute.

12 The clerk is ordered to provide copies of this order to all counsel.

13 Dated February 15, 2023.

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15 Marsha J. Pechman  
16 United States Senior District Judge  
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